

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the Application of:

K. H. BUTLER ET AL.

CASE NO.: BB1252 US NA1

APPLICATION NO.: 09/848,841

GROUP ART UNIT: ~~1652~~ 1638

FILED: MAY 4, 2001

EXAMINER: UNKNOWN

FOR: DISEASE RESISTANCE FACTORS

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION-FILING DATE GRANTED**

Assistant Commissioner for Patents
Washington, DC 20231

Attention: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application mailed June 12, 2001 (a copy of which is attached), enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

PAUL D. GOLIAN
ATTORNEY FOR APPLICANTS
REGISTRATION NO. 42,591
TELEPHONE: 302-992-3749
FACSIMILE: 302-892-1026

Dated: 8/13/01



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20590
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY/AGENT NUMBER
09/848,841	05/04/2001	Karlene H. Butler	BB1252 USNA1

CONFIRMATION NO. 8694

23906

E I DU PONT DE NEMOURS AND COMPANY
LEGAL DEPARTMENT - PATENTS
1007 MARKET STREET
WILMINGTON, DE 19898

FORMALITIES LETTER



OC000000006173426

Date Mailed: 06/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



AA

Section 5

PTO/SB/92 (08-00)
Approved for use through 10/31/2002 OMB 0651-0031
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it contains a valid OMB control number

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on August 10, 2001
Date

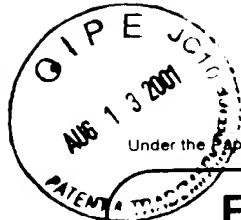
Lisa Z. Turner
Signature

LISA Z. TURNER
Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/848,841
BB1252 US NA1
MISSING PARTS TRANSMITTAL SHEET
COPY OF NOTICE TO FILE MISSING PARTS
FEE SHEET
DECLARATION 37 CFR 1.63
POWER OF ATTORNEY (10 SHEETS)

Burden Hour Statement. This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/17 (11-00)
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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

Complete if Known

Application Number	09/848 841
Filing Date	May 4, 2001
First Named Inventor	K. H. Butler et al
Examiner Name	Unknown
Group / Art Unit	1638
Attorney Docket No	BB1252 US NA1

TOTAL AMOUNT OF PAYMENT (\$) 130

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to

Deposit
Account
Number

04-1928

Deposit
Account
Name

E. I. du Pont de Nemours and Company

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** = 0	X	= 0
Independent Claims	-3** = 0	X	= 0
Multiple Dependent		X	= 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2 520	147	2 520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1 840*	113	1 840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1 390	218	695	Extension for reply within fourth month	
128	1 890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1 510	138	1 510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1 240	241	620	Petition to revive - unintentional	
142	1 240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 (RCE)	710	279	355	Request for Continued Examination	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Paul D. Golian	Registration No. Attorney/Agent)	42,591	Telephone	302-992-3749
Signature				Date	8/1/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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